


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation [Doc. 18] as the opinion of the Court. For the reasons stated in Magistrate Judge's Report and Recommendation, the Court **DENIES** Plaintiff's Motion to Remand [Doc. 7] and **GRANTS IN PART** and **DENIES WITHOUT PREJUDICE IN PART** Defendant's Motion to Dismiss. Plaintiff's claim in Count VIII, asserting a violation of the Real Estate Settlement Procedures Act ("RESPA"), 12 U.S.C. §§ 2600, *et seq.* is **DISMISSED WITHOUT PREJUDICE**. The Court **DENIES WITHOUT PREJUDICE** Defendant's Motion to Dismiss the state law claims.

This action is **REMANDED** to the Superior Court of Cobb County for further proceedings.¹

IT IS SO ORDERED this 19th day of February, 2015.



Amy Totenberg
United States District Judge

¹ As this case involves a pro se Plaintiff, the Court provides further guidance. An order remanding the case means that the case will continue to be heard, but in the court where it was originally filed – here, the Superior Court of Cobb County. The case is simply being returned to the Superior Court of Cobb County for further proceedings. Any future motions should be filed with the Superior Court of Cobb County.